
HOUSE BILL 2842

State of Washington 60th Legislature 2008 Regular Session

By Representatives Williams, Kretz, Loomis, and Ericks

Read first time 01/16/08. Referred to Committee on Public Safety & Emergency Preparedness.

1 AN ACT Relating to responsibility for compensation paid to officers
2 while enrolled in basic law enforcement training; amending RCW
3 82.14.330; adding new sections to chapter 43.101 RCW; and making an
4 appropriation.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.101 RCW
7 to read as follows:

8 (1) A law enforcement agency shall reimburse an officer's training
9 agency for the total amount of salary and benefits received by the
10 officer while he or she was enrolled in basic law enforcement training
11 if the law enforcement agency: (a) Is larger than the training agency,
12 thereby employing a greater number of full-time commissioned officers;
13 and (b) hires the respective officer within twenty-four months of the
14 officer's completion of basic law enforcement training. The law
15 enforcement agency shall reimburse the training agency within ninety
16 days of the officer's first day of employment.

17 (2) For the purposes of this section, "training agency" means a law
18 enforcement agency that: (a) Pays salary and any benefits to an

1 officer while he or she is enrolled in basic law enforcement training;
2 and (b) has ten or less full-time commissioned law enforcement
3 officers.

4 **Sec. 2.** RCW 82.14.330 and 2003 c 90 s 1 are each amended to read
5 as follows:

6 (1) Beginning in fiscal year 2000, the state treasurer shall
7 transfer into the municipal criminal justice assistance account for
8 distribution under this section from the general fund the sum of four
9 million six hundred thousand dollars divided into four equal deposits
10 occurring on July 1, October 1, January 1, and April 1. For each
11 fiscal year thereafter, the state treasurer shall increase the total
12 transfer by the fiscal growth factor, as defined in RCW 43.135.025,
13 forecast for that fiscal year by the office of financial management in
14 November of the preceding year. ((The moneys))

15 (a) Of the total amount deposited in the municipal criminal justice
16 assistance account for distribution under this section, less any moneys
17 appropriated for purposes under subsection (4) of this section, a total
18 of three hundred thousand dollars shall be distributed to the criminal
19 justice training commission to reimburse participating city law
20 enforcement agencies with ten or fewer full-time commissioned patrol
21 officers for the cost of temporary replacement of each officer who is
22 enrolled in basic law enforcement training provided in RCW 43.101.200.

23 (b) In addition to any moneys remaining undistributed by the
24 criminal justice training commission in (a) of this subsection, the
25 remaining amount deposited in the municipal criminal justice assistance
26 account shall be distributed to the cities of the state as follows:

27 ((+a)) (i) Twenty percent appropriated for distribution shall be
28 distributed to cities with a three-year average violent crime rate for
29 each one thousand in population in excess of one hundred fifty percent
30 of the statewide three-year average violent crime rate for each one
31 thousand in population. The three-year average violent crime rate
32 shall be calculated using the violent crime rates for each of the
33 preceding three years from the annual reports on crime in Washington
34 state as published by the Washington association of sheriffs and police
35 chiefs. Moneys shall be distributed under this subsection (1)((+a))
36 (b)(i) ratably based on population as last determined by the office of
37 financial management, but no city may receive more than one dollar per

1 capita. (~~Moneys remaining undistributed under this subsection at the~~
2 ~~end of each calendar year shall be distributed to the criminal justice~~
3 ~~training commission to reimburse participating city law enforcement~~
4 ~~agencies with ten or fewer full-time commissioned patrol officers the~~
5 ~~cost of temporary replacement of each officer who is enrolled in basic~~
6 ~~law enforcement training, as provided in RCW 43.101.200.~~

7 (b)) (ii) Sixteen percent shall be distributed to cities ratably
8 based on population as last determined by the office of financial
9 management, but no city may receive less than one thousand dollars.

10 The moneys deposited in the municipal criminal justice assistance
11 account for distribution under this subsection shall be distributed at
12 such times as distributions are made under RCW 82.44.150.

13 Moneys distributed under this subsection shall be expended
14 exclusively for criminal justice purposes and shall not be used to
15 replace or supplant existing funding. Criminal justice purposes are
16 defined as activities that substantially assist the criminal justice
17 system, which may include circumstances where ancillary benefit to the
18 civil justice system occurs, and which includes domestic violence
19 services such as those provided by domestic violence programs,
20 community advocates, and legal advocates, as defined in RCW 70.123.020.
21 Existing funding for purposes of this subsection is defined as calendar
22 year 1989 actual operating expenditures for criminal justice purposes.
23 Calendar year 1989 actual operating expenditures for criminal justice
24 purposes exclude the following: Expenditures for extraordinary events
25 not likely to reoccur, changes in contract provisions for criminal
26 justice services, beyond the control of the local jurisdiction
27 receiving the services, and major nonrecurring capital expenditures.

28 (2) In addition to the distributions under subsection (1) of this
29 section:

30 (a) Ten percent shall be distributed on a per capita basis to
31 cities that contract with another governmental agency for the majority
32 of the city's law enforcement services. Cities that subsequently
33 qualify for this distribution shall notify the department of community,
34 trade, and economic development by November 30th for the upcoming
35 calendar year. The department of community, trade, and economic
36 development shall provide a list of eligible cities to the state
37 treasurer by December 31st. The state treasurer shall modify the
38 distribution of these funds in the following year. Cities have the

1 responsibility to notify the department of community, trade, and
2 economic development of any changes regarding these contractual
3 relationships. Adjustments in the distribution formula to add or
4 delete cities may be made only for the upcoming calendar year; no
5 adjustments may be made retroactively.

6 (b) The remaining fifty-four percent shall be distributed to cities
7 and towns by the state treasurer on a per capita basis. These funds
8 shall be used for: (i) Innovative law enforcement strategies; (ii)
9 programs to help at-risk children or child abuse victim response
10 programs; and (iii) programs designed to reduce the level of domestic
11 violence or to provide counseling for domestic violence victims.

12 The moneys deposited in the municipal criminal justice assistance
13 account for distribution under this subsection, less any moneys
14 appropriated for purposes under subsection (4) of this section, shall
15 be distributed at the times as distributions are made under RCW
16 82.44.150. ~~((Moneys remaining undistributed under this subsection at
17 the end of each calendar year shall be distributed to the criminal
18 justice training commission to reimburse participating city law
19 enforcement agencies with ten or fewer full-time commissioned patrol
20 officers the cost of temporary replacement of each officer who is
21 enrolled in basic law enforcement training, as provided in RCW
22 43.101.200.))~~

23 If a city is found by the state auditor to have expended funds
24 received under this subsection in a manner that does not comply with
25 the criteria under which the moneys were received, the city shall be
26 ineligible to receive future distributions under this subsection until
27 the use of the moneys are justified to the satisfaction of the director
28 or are repaid to the state general fund.

29 (3) Notwithstanding other provisions of this section, the
30 distributions to any city that substantially decriminalizes or repeals
31 its criminal code after July 1, 1990, and that does not reimburse the
32 county for costs associated with criminal cases under RCW 3.50.800 or
33 3.50.805(2), shall be made to the county in which the city is located.

34 (4) Not more than five percent of the funds deposited to the
35 municipal criminal justice assistance account shall be available for
36 appropriations for enhancements to the state patrol crime laboratory
37 system and the continuing costs related to these enhancements. Funds

1 appropriated from this account for such enhancements shall not supplant
2 existing funds from the state general fund.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101 RCW
4 to read as follows:

5 (1) There is established in the criminal justice training
6 commission a grant program to reimburse law enforcement training
7 agencies for salary and benefits received by an officer in training.

8 (2) The criminal justice training commission shall make grant
9 awards, subject to funds appropriated by the legislature, to training
10 agencies as defined under section 1(2) of this act under the following
11 terms:

12 (a) Beginning on July 1, 2008, grant awards shall be used to
13 reimburse city law enforcement agencies for each full-time commissioned
14 patrol officer that has been hired and employed at its agency for at
15 least twenty-four months but not more than forty-eight months after
16 such patrol officer has completed training at the criminal justice
17 training commission.

18 (b) Any portion of a new full-time commissioned officer's salary or
19 benefits that have been reimbursed under section 1 of this act shall
20 not be eligible for a grant award under this section.

21 (c) Eligibility for grant awards shall primarily be given to, but
22 is not limited to, training agencies that show a high level of need, as
23 evidenced by training-related costs, vacancy rates, turnover rates,
24 small agency size, and other exigent financial circumstances.

25 NEW SECTION. **Sec. 4.** The sum of five hundred thousand dollars, or
26 as much thereof as may be necessary, is appropriated for the fiscal
27 year ending June 30, 2008, from the general fund to the criminal
28 justice training commission for the purposes of implementing section 3
29 of this act.

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